

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-18 and 20-35 are pending in this application. Claims 32-35 are hereby added. Claims 1, 13, 18, 20 and 31-35 are independent. Support for this amendment is provided throughout the Specification as originally filed, and specifically at pages 5-7. No new matter has been introduced. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §102(b)

Claims 1-12, 18, 20-24, 26-28, 30 and 31 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,862,477 to Wellard et al.

Applicants reiterate their arguments presented in the Preliminary Amendment filed on April 29, 2004.

As understood by Applicants, U.S. Patent No. 5,862,477 to Wellard et al. relates to a topology verification process for controlling a Personal Communication Services (PCS) system that includes a plurality of Cordless Fixed Parts (CFP)s. The process includes mapping the spatial relationships of the CFPs utilizing Received Signal Strength Indication (RSSI) vectors

resulting from test signals transmitted between the CFPs, to establish the topology of the system; repeating the mapping process after any disruption of power to the system, and comparing the results. Any significant change in the results, would be highly indicative of a potential change in the geographic area of operation of the system, and can be used to initiate disablement of the system operation. Additional confirmation that the system has not been reconfigured (and hence moved), may be had by matching a unique identifier for each CFP against a stored set of identifiers which specify the particular port that the CFP was connected to immediately prior to any disruption in power to the system. (see Abstract)

Claim 1 is directed toward a method of creating a topology map indicating the quality of connectivity of each network device of a wireless network with all other network devices. The claim specifies a measurement phase in which connectivity quality is measured and a reporting phase in which the measurement results are wirelessly transmitted from each network device to the network device creating the topology map.

As stated previously, Applicants submit that Wellard fails to teach or suggest the claimed wireless transmission of measurement results from each network device to the network device creating a topology map. Indeed, as can be seen from Fig.1 and column 5, lines 50-52, that Wellard teaches wired communication of RSSI data from the CFP devices 10a-10f to the CCU 14. Therefore, Applicants submit that claim 1 is patentable.

Claim 13, is directed toward a device for a wireless network that includes means to measure a power level of a received calibration signal, to internally store results of the measurement and to wirelessly transmit the measurement results to another network device.

As noted above, Applicants submit that Wellard fails to teach or suggest such a wireless transmission of measurement results between network devices. Moreover, Applicants

submit that Wellard does not teach or suggest storing the results of a power level measurement of a received calibration signal internally in a network device that carried out the measurement. Therefore, Applicants submit that claim 13 is patentable.

Claim 18 is directed to a wireless network device that includes means for creating a topology map. The claim specifies that the network device is “configured and adapted for wireless communication” in a wireless network.

As understood by Applicants, while Wellard discloses that the CCU 14 is responsible for creating a topology map (Wellard col. 5, lines 10-57), CCU 14 does not have any wireless communication capabilities. Thus, Applicants submit that claim 18 is patentable.

Independent claims 20 and 31 are believed to be patentably distinct over Wellard because Wellard discloses wired connections between all of the CFP devices 10a-10f and the CCU 14, as well as the fact that CCU 14 is responsible for creating a topology map. Further, Applicants note that Wellard fails to teach or suggest creating a topology map in a network device belonging to a plurality of network devices, as recited in the preambles of claims 20 and 31.

Applicants present new independent claims 32-35, which are directed to using a central device to control communications between wireless devices in a wireless network.

Applicants submit that claims 32-35 are patentable in view of Wellard because Wellard discloses that the CFP measures the RSSI (Received Signal Strength Indication) of the test signals being sent by the other CFPs. The main purpose of the test signal measurement is to identify geometrical locations of the CFPs, respectively, in order to decide nearest CFP to establish a communication between the identified nearest CFS and CPP. Therefore, Applicants

submit that Wellard does not disclose or suggest controlling the power of the communication between the network devices.

Furthermore, Applicants submit that Wellard fails to disclose or suggest a central station controls the power communication between the wireless devices.

Therefore, Applicants respectfully submit that new independent claims 32-35 are patentable.

III. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 6 and 25 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,862,477 to Wellard et al. in view of U.S. Patent No. 6,243,585 to Pelech et al.

Claims 6 and 25 depend on claims 1 and 20, respectively, and are therefore believed to be patentable for at least the reasons provided in relation to claims 1 and 20. Applicants submit that nothing has been found in the cited portions of U.S. Patent No. 6,243,585 to Pelech et al. (hereinafter, merely “Pelech”) that would provide the disclosure lacking in Wellard. Therefore, Applicants submit that claims 6 and 25 are patentable.

IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By Thomas F. Presson
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800